

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2010-69-E - ORDER NO. 2010-306
APRIL 20, 2010

IN RE: Chareda Scott, Complainant/Petitioner v.) ORDER DISMISSING
South Carolina Electric & Gas Company,) COMPLAINT
Defendant/Respondent)

This matter comes before the Public Service Commission of South Carolina (“Commission”) on the Motion to Dismiss this complaint matter propounded by South Carolina Electric & Gas Company (“SCE&G” or “the Company”). Because of the reasoning stated below, the complaint is hereby dismissed, with prejudice.

A complaint was filed by Chareda Scott (“Ms. Scott” or “the Complainant”) on February 8, 2010. SCE&G subsequently prefiled testimony and exhibits and filed a Motion to Dismiss. A hearing in the matter was set for Monday, March 29, 2010, at 11:30 a.m. in the offices of the Commission, before Hearing Examiner David Butler. The complainant failed to appear at the hearing, and SCE&G, through its counsel K. Chad Burgess, renewed its Motion to Dismiss at that time, adding as a ground the failure of the Complainant to appear. Counsel for the Office of Regulatory Staff (“ORS”), Shealy Boland Reibold, who was also present, took no position on the Motion to Dismiss, but noted that ORS had discharged its statutory duties in the case by investigating the matter, rendering a result of the investigation, and advising the Complainant as to how she could proceed further with her Complaint.

Ms. Scott's written complaint alleged that her electric meter malfunctioned, causing her to be overcharged for electric service. SCE&G denied the allegation and, in its Answer, stated that testing performed on the Complainant's electric meter showed that the meter was working properly and operating within regulatory standards. Accordingly, SCE&G stated that the electric charges complained of by Ms. Scott were appropriate. SCE&G's written motion avers that Ms. Scott has failed to demonstrate that SCE&G violated any applicable statute, rule, regulation, or order under the Commission's jurisdiction, and that, as such, the requested relief should be denied, and the matter dismissed. Further, because of the Complainant's failure to appear at the hearing, SCE&G also argues that the Complaint should be dismissed for lack of pursuit and failure of proof.

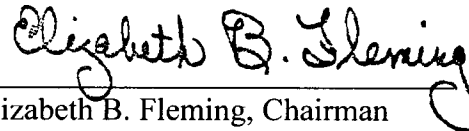
Upon examination of the record in this case, we agree with both grounds. First, Ms. Scott has failed to demonstrate that SCE&G violated any applicable statute, rule, regulation, or order under the Commission's jurisdiction. Second, because Ms. Scott failed to appear at the hearing, she failed to pursue and prove her case. Accordingly, this Complaint is dismissed, with prejudice.

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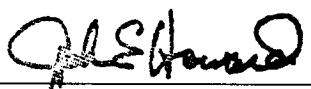
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This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:


Elizabeth B. Fleming, Chairman

ATTEST:


John E. Howard, Vice Chairman

(SEAL)